

Gene Bavis, Chairman called the regular meeting of the Planning Board to order at 7:30 P.M. Planning Board Members present were Gene Bavis, Rick Johnson, Deb Amsler, Karel Ambroz and Marlene Hall (alternate). Planning Board Member Elaine Leasure was absent. Also present was Phil Williamson, Code Enforcement Officer, Norm Druschel, Building Inspector, Brendan Bystrak, Town Engineer (LaBella Associates) and Suzi Mance, Planning Board Liaison.

Deb Amsler made a motion, seconded by Rick Johnson to approve the minutes of November 10, 2014 as written.

Roll Vote:	Gene Bavis	Abstained
	Rick Johnson	Aye
	Elaine Leasure	Absent
	Marlene Hall	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

- 1. **Continuation of the public hearing regarding the application of 3655 High Street L.L.C. for Preliminary and Final Site Plan Approval and Special Use Permit for a proposed 52-unit apartment building to be called Walworth Village Apartments located at 3655 High Street. Property is zoned: Hamlet Districts: Multi-family/Neighborhood Business.**

Chairman Bavis read the following letter:

December 3, 2014

Town of Walworth
3600 Lorraine Drive
Walworth, NY 14568

Att: Phil Williamson

Re: Walworth Village Apartments - #3655 High Street
Preliminary/Final Site Plan Application

Dear Phil:

After further discussions with our client, 3655 High Street, LLC, owner of the property referenced above, we are requesting that we be removed from the December Planning Board meeting agenda. Thank you for your continued patience in this matter.

Very truly yours,

Donald W. Carpenter
Carpenter Consulting Group, LLC

Karel Ambroz made the following motion, seconded by Rick Johnson:

The Planning Board is temporarily postponing and staying its review of the Academy Apartments application, at the request and agreement of the applicant, who has advised that he may modify his application. Therefore, the Planning Board will not be moving forward with SEQR tonight (wording suggested by the Town Attorney).

Roll Vote:	Gene Bavis	Abstained
	Rick Johnson	Aye
	Elaine Leasure	Absent
	Marlene Hall	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

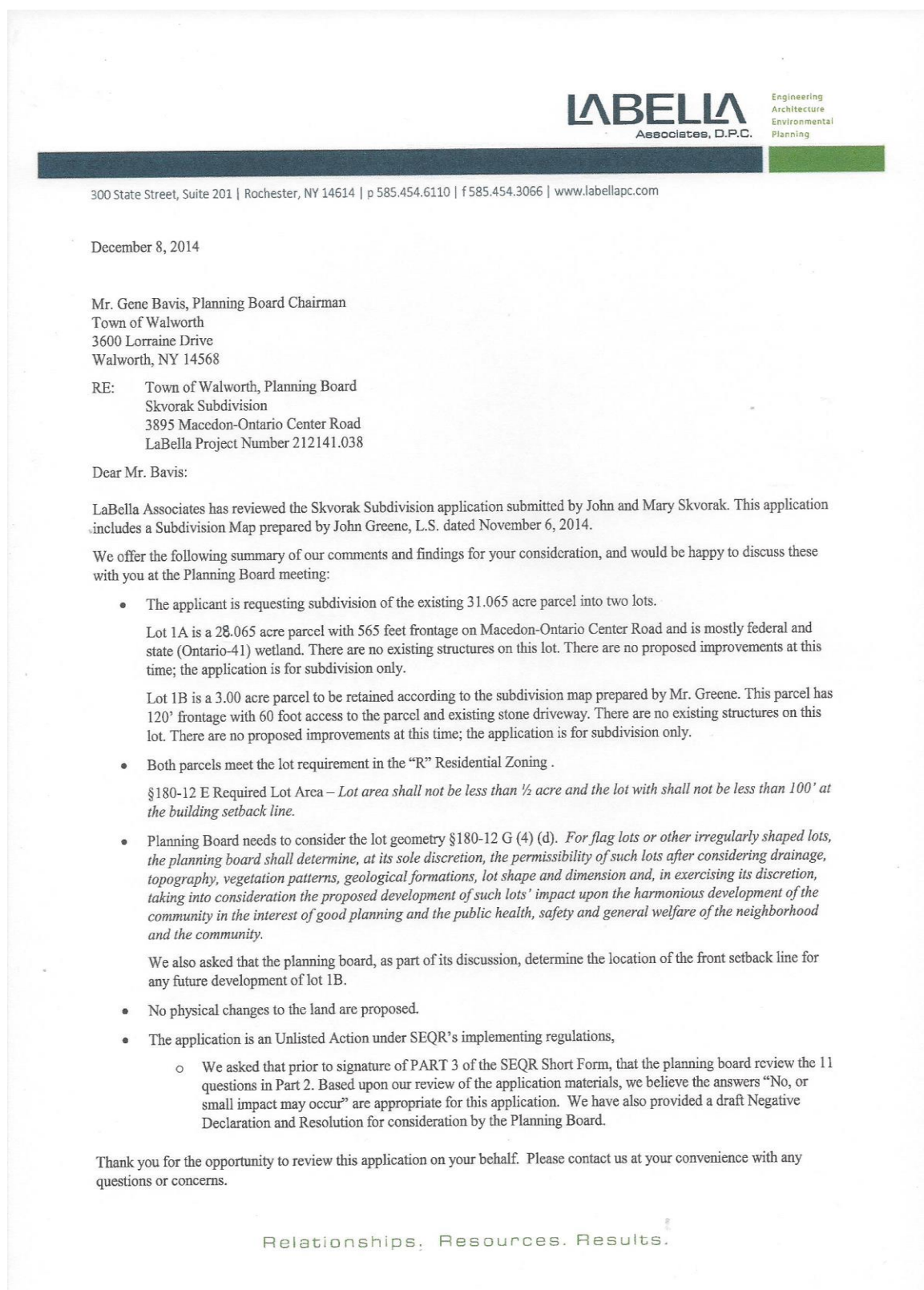
Motion carried.

2. Application of John & Mary Skvorak for preliminary and final subdivision approval to subdivide approximately 31 acres into two parcels (28 acres and 3 acres). Property is located at 3895 Ontario Center Road, approximately 4/10 mile north of Route 441. Property is zoned: R – Residential. (Public Hearing).

John and Mary Skvorak appeared before the Board at the October 14, 2014 Planning Board meeting for a concept discussion for a 2-lot subdivision at 3895 Ontario Center Road. The Board was agreeable to the concept.

A formal application was submitted. The Board was in receipt of a subdivision map entitled Subdivision Plan of Lot 1 of the Skvorak Subdivision, prepared by Greene Land Surveying, PLLC, 403 East Miller Street, Newark, NY 14513, dated 11/02/2014. The existing 31.065 acres parcel will be divided into two lots. The plan shows Lot 1A (28.065 acres that is mostly wooded, federal wetlands) to be sold and Lot 1B (3.0 acres to be retained). The application is for subdivision only.

The Board was in receipt of the following review letter from the Town Engineer, Brendan Bystrak, LaBella Associates:



Discussion ensued about the front setback line for future development on lot1B. Norm Druschel said that it would depend on the orientation of the house. If the house faces Route 350, the minimum front setback must be 60 ft. from the rear lot line of the property in front. If the house faces to the north, the minimum setback would be 15 ft. from the property in front (this would be a side setback). Norm Druschel said that if in the future lot 1B (3 acres) were to be divided into two lots; a variance for setback may be needed.

Chairman Bavis questioned the diagonal lot line. Mr. Skvorak said that the line follows the wetlands (topography).

Chairman Bavis opened the public hearing.

There were no comments from the public.

Deb Amsler made a motion, seconded by Karel Ambroz to close the public hearing. Motion carried.

After completing Park 2 of the SEQR Short, Form, Chairman Bavis asked for a motion regarding SEQR.

Karel Ambroz moved adoption of the following resolution; Board member Deb Amsler seconded the motion:

**SEQR RESOLUTION – NEGATIVE DECLARATION
SKVORAK SUBDIVISION – 3895 ONTARIO CENTER ROAD**

RESOLVED, that in accordance with the New York State Environmental Quality Review regulation (SEQR), the Planning Board of the Town of Walworth Announces its intent to serve as Lead Agency to conduct an environmental review under Section 6`7.7 of the New York State Codes, Rules and Regulations (NYSCRR) of the proposed action to subdivide the property at 3895 Ontario Center Road.

FURTHER RESOLVED, that the Planning Board has determined that the proposed action is an “Unlisted Action” as defined under SEQR.

FURTHER RESOLVED, that the Planning Board, in its capacity of Lead Agency, has caused to be prepared an environmental assessment of the significance of potential environmental impacts associated with the above-listed action. The Planning Board declares that, based on the environmental assessment which has been prepared, the action will result in no major impacts, nor cause significant damage to the environment and preparation of an Environmental Impact States is not warranted. A Negative Declaration under SEQR is therefore issued for this project.

Roll Vote:	Gene Bavis	Aye
	Rick Johnson	Aye
	Marlene Hall (alternate)	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

Rick Johnson made a motion, seconded by Marlene Hall for preliminary and final approval for a 2-lot subdivision of 31 acres (28 acres and 3 acres) located at 3895 Ontario Center Road.

Roll Vote:	Gene Bavis	Aye
	Rick Johnson	Aye
	Marlene Hall (alternate)	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

Phil Williamson noted for the record that the application was sent to the County and issued the following statement. According to General Municipal Law Section 239-m, the County Planning Board has thirty days after receipt of a full statement of proposed action to report its recommendation to the referring body. If the Count Planning Board fails to make a recommendation within thirty day, the referring body may take final action without such report. Since there is no report within the required thirty day time frame, the municipality may take action on the referral without the County Planning Board report.

3. Concept discussion of Carl Lehr for proposed subdivision of land at 241 Mildahn Road. Property is zoned: R – Residential.

Carl and David Lehr were present to discuss the proposed subdivision at 241 Mildahn Road. The 93 acres parcel was owned by Elizabeth Lehr who is deceased and is now in the Estate of the three children and spouses (Carl and Virginia Lehr, James and Nancy Lehr and Douglas and Patricia Scott). The 93 acre parcel currently has a farmhouse and several barns. Carl Lehr lives at 200 Mildahn Road and David Lehr lives at 241 Mildahn Road. Both parcels adjoin the 93 acre parcel to be subdivided. A sketch was provided that showed the proposed intent to subdivide the property. A portion of property adjoining Carl Lehr's 1.6 acre parcel to the south of Mildahn Road will be subdivided and merged with his residential property (shown as Lot 1 on the sketch). The farmhouse will be subdivided off of the 93 acre parcel. The size of this lot will be approximately 1 acre (225 ft. x 200 ft.). The lot with the existing farmhouse shown as Lot 3 on the sketch will be purchased by a family member. Chairman Bavis commented that the parcel would not be able to house animals as it was not five acres. The remaining acreage will remain agricultural. There are several existing barns on the agricultural parcel that remains (shown as Lot 2 on the sketch).

The Board concurred that they did not see any problem with the proposed subdivision. The next step would be a formal application and preparation of a subdivision map. The application needs to be sent to the County for their review prior to the public hearing.

4. Approval of the 2015 Planning Board Calendar.

Rick Johnson made a motion, seconded by Deb Amsler to accept the 2015 Planning Board Calendar.

Roll Vote:	Gene Bavis	Aye
	Rick Johnson	Aye
	Marlene Hall (alternate)	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

5. Other

Suzi Mance, Planning Board Liaison, said that she is working on in-house training opportunities for 2015. Board members expressed that they were in favor of having trainings in Walworth as they both convenient and pertinent.

Chairman Bavis adjourned the meeting at 8:03 P.M.

Gail Rutkowski, Clerk